

JUDGE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	NO. CR 05-337 JCC
)	
Plaintiff,)	ORDER GRANTING
)	STIPULATED MOTION TO CONTINUE
vs.)	TRIAL DATE AND EXTEND TIME FOR
)	PRETRIAL MOTIONS
JAKE HUMPHREY, PAUL McCLUSKEY,)	
and SHANE MENZEL,)	
)	
Defendants.)	
)	
)	

The Court, having reviewed the stipulation of the parties, and the defendants' agreement to extend the time for trial, finds as to the facts stipulated to by counsel in that document, and hereby makes the following findings of fact:

1. Defense counsel has not yet received discovery of evidence including forensic analysis of the alleged drugs at issue in this case. For this reason, the Court finds that a failure to grant the continuances would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

2. Given the incomplete state of discovery in this case, the Court further finds that the ends of justice will be served by ordering the continuances in this case and that the continuances are necessary to insure effective trial preparation and that these factors outweigh the best interests

1 of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

2 IT IS THEREFORE ORDERED that the trial date be continued from November 14, 2005,
3 to December 12, 2005.

4 IT IS FURTHER ORDERED that the due date for pretrial motions be extended to
5 November 10, 2005.

6 IT IS FURTHER ORDERED that the period of time from the current trial date of
7 November 14, 2005, up to and including the new proposed trial date of December 12, 2005,
8 shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*

9 IT IS FURTHER ORDERED that the defendants Jake Humphrey and Shane Menzel file
10 their speedy trial waivers with the Court no later than November 4, 2005.

11 DONE this 27th day of October, 2005.

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UNITED STATES DISTRICT JUDGE